

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

RODNEY G. SMITH, EXECUTIVE DIRECTOR)
of the TEAMSTERS UNION 25 HEALTH SERVICES)
AND INSURANCE PLAN,)

Plaintiff,)

v.)

JAMES L. RIGBY,)

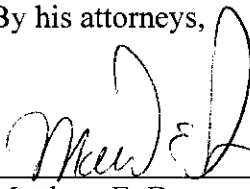
Defendant.)

CIVIL ACTION NO.
04-12075-RCL

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Pursuant to Federal Rule of Civil Procedure Rule 41(a)(1)(i), the Plaintiff, Rodney G. Smith, Executive Director of the Teamsters Union 25 Health Services and Insurance Plan, hereby dismisses the above-captioned action without prejudice.

For the Plaintiff,
RODNEY G. SMITH,
EXECUTIVE DIRECTOR,
TEAMSTERS UNION 25 HEALTH
SERVICES AND INSURANCE PLAN,
By his attorneys,



Matthew E. Dwyer
B.B.O. #139840
Kathleen A. Pennini
B.B.O. # 654573
Dwyer, Duddy & Facklam, P.C.
One Center Plaza; Suite 360
Boston, MA 02108-1804
(617) 723-9777

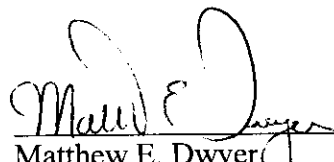
Dated: November 22, 2004

CERTIFICATE OF SERVICE

I, Matthew E. Dwyer, do hereby certify that a true copy of the foregoing document, has been served upon:

James L. Rigby
11 Raven Street
Dorchester, MA 02125

by first class mail, postage prepaid, this 22nd day of November 2004.


Matthew E. Dwyer